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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JOHN GREENBERGER MACCABEE AND  
SHERRY MORSE MACCABEE LIVING  
TRUST;

JOHN GREENBERGER MACCABEE,  
Individually and as Trustee of the John

Adv. Pro. No. 10-05407 (SMB)

Greenberger Maccabee and Sherry Morse  
Maccabee Living Trust; and

SHERRY MORSE MACCABEE, Individually and  
as Trustee of the John Greenberger Maccabee and  
Sherry Morse Maccabee Living Trust,

Defendants.

### **NOTICE OF MEDIATOR SELECTION**

On May 16, 2014, this Court entered the Stipulation and Order of Mediation Referral in this case (the “Order”) [Dkt. No. 23], by which Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, and Defendants John Greenberger Maccabee and Sherry Morse Maccabee Living Trust, John Greenberger Maccabee, and Sherry Morse Maccabee (“Defendants” and, with the “Trustee”, the “Parties”) jointly agreed to enter mediation prior to or upon completion of discovery in the above-captioned adversary proceeding without further court order.

Through this Notice of Mediator Selection, and pursuant to the Order, the Parties hereby mutually select from the Mediation Register Deborah A. Reperowitz, from the law firm of Troutman Sanders LLP, to act as Mediator in this matter. The Parties further agree to contact Deborah A. Reperowitz as soon as practicable after this Notice of Mediator Selection is filed with the Court.

The Parties further agree that no person shall act as Mediator if that person, or that person’s law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Order, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York  
June 6, 2014

/s/ Donna A. Tobin  
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